

Conference Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 393

SENATE BILL 1550

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-511.15; RELATING TO THE ARIZONA STATE PARKS BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 3, article 1.1, Arizona Revised Statutes,
3 is amended by adding section 41-511.15, to read:

4 41-511.15. Rock climbing state park; fees, gifts and donations;
5 disposition

6 A. THE ARIZONA STATE PARKS BOARD SHALL ESTABLISH A ROCK CLIMBING STATE
7 PARK SUBJECT TO ALL OF THE FOLLOWING CONDITIONS:

8 1. THE CONVEYANCE OF APPROXIMATELY TWO THOUSAND ACRES OF BUREAU OF
9 LAND MANAGEMENT LAND BY THE UNITED STATES SECRETARY OF THE INTERIOR, PURSUANT
10 TO THE RECREATIONAL AND PUBLIC PURPOSES ACT (43 UNITED STATES CODE SECTIONS
11 869 THROUGH 869-4) TO THE ARIZONA STATE PARKS BOARD. THE LAND IS LOCATED IN
12 GILA COUNTY AND IS GENERALLY DESCRIBED AS: THE SOUTH 1/2 OF SECTION 4,
13 TOWNSHIP 4 SOUTH, RANGE 15 EAST; SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 4
14 SOUTH, RANGE 15 EAST; ALL OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 15 EAST,
15 EXCEPT NORTH 1/2, OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4, SOUTHEAST 1/4;
16 NORTH 1/2, AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 4
17 SOUTH, RANGE 15 EAST; NORTH 1/2 SECTION 16, TOWNSHIP 4 SOUTH, RANGE 15 EAST,
18 EXCEPT SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/2 OF SECTION 17,
19 TOWNSHIP 4 SOUTH, RANGE 15 EAST.

20 2. THE CONVEYANCE OR LEASE OF THREE PARCELS OF STATE TRUST LAND
21 TOTALING APPROXIMATELY ONE HUNDRED SIXTY ACRES TO THE ARIZONA STATE PARKS
22 BOARD. THE TRUST LANDS ARE LOCATED IN GILA COUNTY AND ARE GENERALLY
23 DESCRIBED AS: THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP
24 4 SOUTH, RANGE 15 EAST; SOUTH 1/2 OF THE SOUTHEAST 1/4, SECTION 9, TOWNSHIP 4
25 SOUTH, RANGE 15 EAST; SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 16,
26 TOWNSHIP 4 SOUTH, RANGE 15 EAST.

27 3. THE ESTABLISHMENT OF A PARK ACCESS ROAD AS SPECIFIED BY THE UNITED
28 STATES CONGRESS AND A PUBLIC ACCESS EASEMENT ON THE ACCESS ROAD BEING
29 TRANSFERRED TO THE ARIZONA STATE PARKS BOARD.

30 B. NOTWITHSTANDING THE PROVISIONS OF SECTION 41-511.05, PARAGRAPH 3,
31 ADDITIONS TO THE ROCK CLIMBING STATE PARK, UP TO FIVE HUNDRED ACRES, SHALL
32 NOT REQUIRE ADDITIONAL LEGISLATIVE AUTHORIZATION.

33 C. THE ARIZONA STATE PARKS BOARD SHALL USE ITS BEST EFFORTS TO PREVENT
34 TRESPASS ONTO PRIVATE LANDS ADJACENT TO THE BOUNDARIES OF THE ROCK CLIMBING
35 STATE PARK AND SHALL PROVIDE ACCESS TO THE OWNERS OF ANY PRIVATE LANDS WITHIN
36 THE EXTERIOR BOUNDARY OF THE STATE PARK.

37 D. THE ARIZONA STATE PARKS BOARD MAY CHARGE USER FEES AND CONCESSION
38 FEES AND COLLECT MONIES FROM OTHER REVENUE GENERATING ACTIVITIES. THE STATE
39 PARKS BOARD SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL MONIES
40 COLLECTED IN THE STATE PARKS ENHANCEMENT FUND ESTABLISHED BY SECTION
41 41-511.11.

42 E. THE ARIZONA STATE PARKS BOARD MAY ACCEPT GIFTS AND DONATIONS TOWARD
43 THE ACQUISITION, MANAGEMENT AND OPERATIONS OF THE ROCK CLIMBING STATE
44 PARK. THE ARIZONA STATE PARKS BOARD SHALL DEPOSIT, PURSUANT TO SECTIONS

1 35-146 AND 35-147, ANY GIFTS OR DONATIONS COLLECTED IN THE STATE PARKS
2 ENHANCEMENT FUND AND ACCOUNT FOR THESE MONIES SEPARATELY.

3 F. THE ARIZONA STATE PARKS BOARD SHALL ENSURE PUBLIC ACCESS TO THE
4 ROCK CLIMBING STATE PARK.

5 G. NOTHING IN THE ESTABLISHMENT OF THE ROCK CLIMBING STATE PARK SHALL
6 BE CONSTRUED TO IMPOSE ANY NEW OR ADDITIONAL MANAGEMENT REQUIREMENTS,
7 RESTRICTIONS OR REGULATIONS UNDER THE LAWS OF THIS STATE ON THE PERMITTING,
8 MANAGEMENT OF OR THE CONDUCT OF ACTIVITIES ON ANY LANDS OUTSIDE THE STATE
9 PARK, OR TO IMPOSE RESTRICTIONS ON THESE ACTIVITIES IN ADDITION TO THOSE
10 APPLICABLE TO THE SAME LAND WITHIN AND OUTSIDE THE STATE PARK, BEFORE ITS
11 DESIGNATION AS A STATE PARK.

12 H. MINING AND MINING RELATED ACTIVITIES CARRIED OUT BY USERS OF LANDS
13 OUTSIDE THE ROCK CLIMBING STATE PARK DO NOT CREATE A CAUSE OF ACTION FOR ANY
14 INJURIES SUSTAINED BY A PERSON WITHIN THE BOUNDARIES OF THE STATE PARK.

15 Sec. 2. Legislative findings

16 The legislature finds that areas in close proximity to the rock
17 climbing state park authorized by this act have historically been or are
18 currently the sites of past, present or potential future mining and mining
19 related activities or operations, grazing and agriculture. The state park
20 shall coexist with all the past, present and future uses in the area. The
21 legislature does not intend that the establishment of the rock climbing state
22 park authorized by this act will lead to the creation of protective
23 perimeters or buffer zones around the park. The fact that nonpark related
24 activities can be seen, heard or otherwise experienced in any way by visitors
25 to the state park, whether from inside the state park, outside the state park
26 or on the access road to it, or the fact that these activities might affect
27 any environmental condition within the state park shall not, of itself,
28 preclude these activities or uses up to the boundary of the state park.

APPROVED BY THE GOVERNOR JUNE 28, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 28, 2006.